

Official Journal

of the European Union

L 41

Volume 50

13 February 2007

English edition

Legislation

Contents

I Acts adopted under the EC Treaty/Euratom Treaty whose publication is obligatory

REGULATIONS

Commission Regulation (EC) No 126/2007 of 12 February 2007 establishing the standard import values for determining the entry price of certain fruit and vegetables 1

★ **Commission Regulation (EC) No 127/2007 of 9 February 2007 amending Council Regulation (EC) No 2368/2002 implementing the Kimberley Process certification scheme for the international trade in rough diamonds** 3

★ **Commission Regulation (EC) No 128/2007 of 12 February 2007 amending Regulation (EC) No 580/2004 establishing a tender procedure concerning export refunds for certain milk products and Regulation (EC) No 581/2004 opening a standing invitation to tender for exports refunds concerning certain types of butter** 6

II Acts adopted under the EC Treaty/Euratom Treaty whose publication is not obligatory

DECISIONS

Council

2007/89/EC:

★ **Council Decision of 12 February 2007 appointing two Dutch members and four Dutch alternate members to the Committee of the Regions** 8

Commission

2007/90/EC:

★ **Commission Decision of 12 February 2007 amending Decision 2005/513/EC on the harmonised use of radio spectrum in the 5 GHz frequency band for the implementation of Wireless Access Systems including Radio Local Area Networks (WAS/RLANs) (notified under document number C(2007) 269) ⁽¹⁾** 10

⁽¹⁾ Text with EEA relevance

(Continued overleaf)

ACTS ADOPTED UNDER TITLE V OF THE EU TREATY

- ★ **Council Decision 2007/91/CFSP of 12 February 2007 amending Decision 2004/197/CFSP establishing a mechanism to administer the financing of the common costs of European Union operations having military or defence implications (Athena)** 11
- ★ **Council Common Position 2007/92/CFSP of 12 February 2007 renewing the restrictive measures imposed against Côte d'Ivoire** 16
- ★ **Council Common Position 2007/93/CFSP of 12 February 2007 modifying and renewing Common Position 2004/137/CFSP concerning the restrictive measures imposed against Liberia** 17
- ★ **Council Common Position 2007/94/CFSP of 12 February 2007 amending Common Position 2002/960/CFSP concerning restrictive measures against Somalia** 19

ACTS ADOPTED UNDER TITLE VI OF THE EU TREATY

- ★ **Notice concerning the entry into force of the Protocol drawn up on the basis of Article 43(1) of the Convention on the establishment of a European Police Office** 21
- ★ **Notice concerning the entry into force of the Protocol amending the Convention on the establishment of a European Police Office** 21
- ★ **Notice concerning the entry into force of the Protocol drawn up on the basis of Article 43(1) of the Convention on the establishment of a European Police Office** 21

I

(Acts adopted under the EC Treaty/Euratom Treaty whose publication is obligatory)

REGULATIONS

COMMISSION REGULATION (EC) No 126/2007**of 12 February 2007****establishing the standard import values for determining the entry price of certain fruit and vegetables**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 3223/94 of 21 December 1994 on detailed rules for the application of the import arrangements for fruit and vegetables ⁽¹⁾, and in particular Article 4(1) thereof,

Whereas:

- (1) Regulation (EC) No 3223/94 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the Commission fixes the

standard values for imports from third countries, in respect of the products and periods stipulated in the Annex thereto.

- (2) In compliance with the above criteria, the standard import values must be fixed at the levels set out in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The standard import values referred to in Article 4 of Regulation (EC) No 3223/94 shall be fixed as indicated in the Annex hereto.

Article 2

This Regulation shall enter into force on 13 February 2007.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 12 February 2007.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 337, 24.12.1994, p. 66. Regulation as last amended by Regulation (EC) No 386/2005 (OJ L 62, 9.3.2005, p. 3).

ANNEX

to Commission Regulation of 12 February 2007 establishing the standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)

CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	IL	235,2
	MA	50,6
	TN	148,3
	TR	160,8
	ZZ	148,7
0707 00 05	EG	255,9
	MA	96,9
	SN	112,5
	TR	152,4
	ZZ	154,4
0709 90 70	MA	47,2
	TR	131,7
	ZZ	89,5
0709 90 80	EG	26,8
	ZZ	26,8
0805 10 20	EG	50,0
	IL	56,8
	MA	49,4
	TN	54,1
	TR	71,3
	ZZ	56,3
0805 20 10	MA	90,7
	ZZ	90,7
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	IL	67,7
	MA	111,4
	PK	57,2
	TR	63,9
	ZZ	75,1
0805 50 10	EG	56,1
	IL	67,8
	TR	49,0
	ZZ	57,6
0808 10 80	CA	104,2
	CN	92,8
	TR	99,7
	US	118,2
	ZZ	103,7
0808 20 50	AR	101,2
	US	99,4
	ZA	97,6
	ZZ	99,4

⁽¹⁾ Country nomenclature as fixed by Commission Regulation (EC) No 1833/2006 (OJ L 354, 14.12.2006, p. 19). Code 'ZZ' stands for 'of other origin'.

COMMISSION REGULATION (EC) No 127/2007**of 9 February 2007****amending Council Regulation (EC) No 2368/2002 implementing the Kimberley Process certification scheme for the international trade in rough diamonds**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

adequately fulfil the tasks required by Chapters II, III and V of Regulation (EC) No 2368/2002.

Having regard to the Treaty establishing the European Community,

(3) The measures provided for in this Regulation are in accordance with the opinion of the Committee designated in Article 22 of Regulation (EC) No 2368/2002.

Having regard to Council Regulation (EC) No 2368/2002 of 20 December 2002 implementing the Kimberley Process certification scheme for the international trade in rough diamonds ⁽¹⁾, and in particular Article 19 thereof,

(4) Annex III should be amended accordingly,

Whereas:

HAS ADOPTED THIS REGULATION:

(1) Article 19 of Regulation (EC) No 2368/2002 provides for a list of Community authorities to be maintained by the Commission in Annex III.

Article 1

Annex III to Regulation (EC) No 2368/2002 is hereby replaced by the Annex to this Regulation.

(2) Romania has designated a Community authority and has informed the Commission thereof. The Commission concluded that sufficient evidence was provided that this authority can reliably, timely, effectively and

Article 2

This Regulation shall enter into force on the day following its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 9 February 2007.

For the Commission

Benita FERRERO-WALDNER

Member of the Commission

⁽¹⁾ OJ L 358, 31.12.2002, p. 28. Regulation as last amended by Commission Regulation (EC) No 2026/2006 (OJ L 384, 29.12.2006, p. 85).

ANNEX

'ANNEX III

List of Member States' competent authorities and their tasks as referred to in Articles 2 and 19

BELGIUM

Federale Overheidsdienst Economie, KMO, Middenstand en Energie, Dienst Vergunningen/Service public fédéral économie, PME, classes moyennes et énergie, Service licence
Italiëlei 124, bus 71
B-2000 Antwerpen
Tel. (32-3) 206 94 70
Fax (32-3) 206 94 90
E-mail: kpcs-belgiumdiamonds@economie.fgov.be

In Belgium the controls of imports and exports of rough diamonds required by Regulation (EC) No 2368/2002 and the customs treatment will only be done at:

The Diamond Office,
Hovenierstraat 22
B-2018 Antwerpen

CZECH REPUBLIC

In the Czech Republic the controls of imports and exports of rough diamonds required by Regulation 2368/2002 and the customs treatment will only be done at:

Generální ředitelství cel
Budějovická 7
CZ-140 96 Praha 4
Česká republika
Tel.: (420) 261 33 38 41, (420) 261 33 38 59, mob. tel.: (420) 737 21 37 93
Fax: (420) 261 33 38 70
E-mail: diamond@cs.mfcr.cz

GERMANY

In Germany the controls of imports and exports of rough diamonds required by Regulation 2368/2002, including the issuing of Community certificates, will only be done at the following authority:

Hauptzollamt Koblenz
Zollamt Idar-Oberstein
Zertifizierungsstelle für Rohdiamanten
Hauptstraße 197
D-55743 Idar-Oberstein
Tel. (49-6781) 56 27-0
Fax (49-6781) 56 27-19
E-mail: zaio@hzako.bfinv.de

For the purpose of Articles 5(3), 6, 9, 10, 14(3), 15 and 17 of this Regulation, concerning in particular reporting obligations to the Commission, the following authority shall act as competent German authority:

Oberfinanzdirektion Koblenz
Zoll- und Verbrauchsteuerabteilung
Vorort Außenwirtschaftsrecht
Postfach 10 07 64
D-67407 Neustadt/Weinstraße
Tel.: (49-6321) 89 43 49
Fax: (49-6321) 89 48 50
E-mail: poststelle@zabir.bfinv.de

ROMANIA

Autoritatea Națională pentru Protecția Consumatorilor
Direcția Metale Prețioase și Pietre Prețioase
Strada Georges Clemenceau Nr. 5, sectorul 1
București, România,
Cod poștal 010295
Tel. (40-21) 3184635 / 3129890 / 3121275
Fax (40-21) 3184635 / 3143462
www.anpc.ro

UNITED KINGDOM

Government Diamond Office
Global Business Group
Room W 3.111.B
Foreign and Commonwealth Office
King Charles Street
London SW1A 2AH
Tel. (44-207) 008 6903
Fax (44-207) 008 3905
GDO@gtnet.gov.uk

COMMISSION REGULATION (EC) No 128/2007**of 12 February 2007****amending Regulation (EC) No 580/2004 establishing a tender procedure concerning export refunds for certain milk products and Regulation (EC) No 581/2004 opening a standing invitation to tender for exports refunds concerning certain types of butter**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

(4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Milk and Milk Products,

Having regard to the Treaty establishing the European Community,

HAS ADOPTED THIS REGULATION:

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, and in particular Article 26(3) and Article 31(3)(b) and (14) thereof,

Article 1

Regulation (EC) No 580/2004 is amended as follows:

1. In Article 1, point (b) is replaced by the following:

‘(b) natural butter in blocks of at least 20 kilograms net weight falling under product code ex 0405 10 19 9700;’.

Whereas:

(1) Article 1 of Commission Regulation (EC) No 580/2004 ⁽²⁾ covers the products falling into the scope of the tender procedure for fixing export refunds. It appears that applications for export licences for butter with a fat content of 80 % are negligible. For the sake of simplification it is appropriate to abolish the procedure for such products.

2. In Article 7, paragraph 2 is deleted.

3. Point 2 of the Annex is deleted.

(2) By way of derogation from Commission Regulation (EC) No 1291/2000 of 9 June 2000 laying down common detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products ⁽³⁾, Article 7(2) of Regulation (EC) No 580/2004 provides that export licences obtained under the tender procedure are not transferable. With a view to simplification and to facilitate the trade under the procedure, that derogation should be withdrawn.

Article 2

In Article 1(1) of Regulation (EC) No 581/2004, point (a) is replaced by the following:

‘(a) natural butter in blocks of at least 20 kilograms net weight falling under product code ex 0405 10 19 9700;’.

(3) Regulation (EC) No 580/2004 and Commission Regulation (EC) No 581/2004 ⁽⁴⁾ should be amended accordingly.

*Article 3*This Regulation shall enter into force on the third day following its publication in the *Official Journal of the European Union*.

Article 1(2) shall apply on licences issued as from its entry into force.

⁽¹⁾ OJ L 160, 26.6.1999, p. 48. Regulation as last amended by Regulation (EC) No 1913/2005 (OJ L 307, 25.11.2005, p. 2).

⁽²⁾ OJ L 90, 27.3.2004, p. 58. Regulation as last amended by Regulation (EC) No 1814/2005 (OJ L 292, 8.11.2005, p. 3).

⁽³⁾ OJ L 152, 24.6.2000, p. 1. Regulation as last amended by Regulation (EC) No 1913/2006 (OJ L 365, 21.12.2006, p. 52).

⁽⁴⁾ OJ L 90, 27.3.2004, p. 64. Regulation as last amended by Regulation (EC) No 1919/2006 (OJ L 380, 28.12.2006, p. 1).

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 12 February 2007.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

II

(Acts adopted under the EC Treaty/Euratom Treaty whose publication is not obligatory)

DECISIONS

COUNCIL

COUNCIL DECISION

of 12 February 2007

appointing two Dutch members and four Dutch alternate members to the Committee of the Regions

(2007/89/EC)

THE COUNCIL OF THE EUROPEAN UNION,

(a) as members:

Having regard to the Treaty establishing the European Community, and in particular Article 263 thereof,

— Mr Cor LAMERS, burgemeester van Houten,

— Mr Henk KOOL, wethouder te Den Haag,

Having regard to the proposal from the Netherlands Government,

to replace

Whereas:

— Mr Fons HERTOOG,

— Mr Pieter VAN WOENSEL;

(1) On 24 January 2006, the Council adopted Decision 2006/116/EC ⁽¹⁾ appointing the members and alternate members of the Committee of the Regions for the period from 26 January 2006 to 25 January 2010.

(b) as alternate members:

— Mr Lodewijk ASSCHER, wethouder te Amsterdam,

(2) Two members' seats on the Committee of the Regions have become vacant following the end of the mandate of Mr Fons HERTOOG and the resignation of Mr Pieter VAN WOENSEL. Four alternate members' seats have become vacant following the end of the mandate of Ms Laetitia GRIFFITH, the resignation of Mr James LIDTH DE JEUDE, the end of the mandate of Mr Wim ZWAAN and the resignation of Mr Alexander SAKKERS,

— Mr Rik DE LANGE, wethouder te Zutphen,

— Ms Ellie FRANSSEN, wethouder te Voerendaal,

— Ms Rinda DEN BESTEN, wethouder te Utrecht,

to replace

HAS DECIDED AS FOLLOWS:

— Ms Laetitia GRIFFITH,

Article 1

The following are hereby appointed to the Committee of the Regions for the remainder of the term of office still to run, namely until 25 January 2010:

— Mr James LIDTH DE JEUDE,

— Mr Wim ZWAAN,

— Mr Alexander SAKKERS.

⁽¹⁾ OJ L 56, 25.2.2006, p. 75.

Article 2

This Decision shall take effect on the date of its adoption.

Done at Brussels, 12 February 2007.

For the Council
The President
F.-W. STEINMEIER

COMMISSION

COMMISSION DECISION

of 12 February 2007

amending Decision 2005/513/EC on the harmonised use of radio spectrum in the 5 GHz frequency band for the implementation of Wireless Access Systems including Radio Local Area Networks (WAS/RLANs)

(notified under document number C(2007) 269)

(Text with EEA relevance)

(2007/90/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Decision No 676/2002/EC of the European Parliament and of the Council of 7 March 2002 on a regulatory framework for radio spectrum policy in the European Community (Radio Spectrum Decision) ⁽¹⁾, and in particular Article 4(3) thereof,

Whereas:

- (1) Following the adoption of Commission Decision 2005/513/EC of 11 July 2005 on the harmonised use of radio spectrum in the 5 GHz frequency band for the implementation of Wireless Access Systems including Radio Local Area Networks (WAS/RLANs) ⁽²⁾, further investigations of the technical parameters defined in this Decision revealed that the maximum mean e.i.r.p. density limits in the bands 5 150-5 250 MHz and 5 250-5 350 MHz can be expressed in a similar way, thus substantially facilitating equipment testing, as opposed to the specifications in the Decision of 11 July 2005. The new formulation of the technical parameters would therefore ease the take-up of these systems in the EU.
- (2) Both ETSI and the CEPT have confirmed that the amendment to these technical parameters does not change the protection vis-à-vis the other services sharing the spectrum with WAS/RLANs and keeps in particular the aggregate interference from RLANS operating in the frequency band 5 150-5 350 MHz to a level sufficiently low so that interference to satellite communications would be avoided.

- (3) The Harmonised Standard for RLAN equipment using the 5 GHz bands which has been adopted by the European Telecommunications Standards Institute (ETSI) under number EN 301 893 takes account of this simplification of technical parameters.

- (4) The measures provided for in this Decision are in accordance with the opinion of the Radio Spectrum Committee,

HAS ADOPTED THIS DECISION:

Article 1

Article 4(1) of Decision 2005/513/EC is replaced by the following:

'Article 4

1. In the frequency band 5 150-5 350 MHz, WAS/RLANs shall be restricted to indoor use with a maximum mean e.i.r.p. of 200 mW. Furthermore, in the 5 150-5 350 MHz band the maximum mean e.i.r.p. density shall be limited to 10 mW/MHz in any 1 MHz band.'

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 12 February 2007.

For the Commission

Viviane REDING

Member of the Commission

⁽¹⁾ OJ L 108, 24.4.2002, p. 1.

⁽²⁾ OJ L 187, 19.7.2005, p. 22.

III

(Acts adopted under the EU Treaty)

ACTS ADOPTED UNDER TITLE V OF THE EU TREATY

COUNCIL DECISION 2007/91/CFSP

of 12 February 2007

amending Decision 2004/197/CFSP establishing a mechanism to administer the financing of the common costs of European Union operations having military or defence implications (Athena)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Articles 13(3) and 28(3) thereof,

Whereas:

- (1) On 23 February 2004 the Council adopted Decision 2004/197/CFSP ⁽¹⁾.
- (2) Article 42 of Decision 2004/197/CFSP, provides that that Decision, including its Annexes, is to be reviewed after every operation and at least every 18 months.
- (3) The Council decides on a case-by-case basis whether an operation has military or defence implications, within the meaning of Article 28(3) of the Treaty,

HAS DECIDED AS FOLLOWS:

Article 1

Decision 2004/197/CFSP is hereby amended as follows:

1. The following shall be added to Article 1:

- (c) "operations" shall mean the EU operations having military or defence implications;
- (d) "military supporting actions" shall mean the EU operations, or parts thereof, decided by the Council in support of a third State or a third organisation, which have military or defence implications, but which are not under the authority of EU Headquarters.;

2. Article 2(1) shall be replaced by the following:

'1. A mechanism to administer the financing of the common costs of operations is hereby established.;

3. Article 7(1) shall be replaced by the following:

'1. The Secretary-General of the Council, after informing the Special Committee, shall appoint the administrator and at least one deputy administrator for a period of three years.;

4. The second sentence of Article 10(5) shall be deleted;

5. The Title of Chapter 3 shall be replaced by following:

'CHAPTER 3

ADMINISTRATIVE ARRANGEMENTS WITH MEMBER STATES, EU INSTITUTIONS, THIRD STATES AND INTERNATIONAL ORGANISATIONS';

6. The following Articles shall be inserted in Chapter 3:

'Article 10a

Administrative arrangements with Member States or EU institutions

1. Administrative arrangements may be negotiated with Member States or EU institutions in order to facilitate procurement in operations at the most economical conditions. These arrangements shall take the form of an exchange of letters between Athena represented by the operation commander or, where there is no operation commander, the administrator, and the competent administrative authorities of the Member States or EU institutions concerned.

2. The Special Committee shall be consulted before any such arrangement is signed.

⁽¹⁾ OJ L 63, 28.2.2004, p. 68. Decision as last amended by Decision 2005/68/CFSP (OJ L 27, 29.1.2005, p. 59).

*Article 10b***Administrative arrangements with a third State or an international organisation**

1. An administrative arrangement may be negotiated with a third State or an international organisation in order notably to facilitate procurement in theatre at the most economical conditions taking into account operational constraints. These arrangements shall take the form of an exchange of letters between Athena, represented by the operation commander or, where there is no operation commander, the administrator, and the competent administrative authorities of the third State or the international organisation concerned.

2. Any such arrangement shall be submitted to the Special Committee for approval before it is signed.;

7. The following paragraph shall be inserted in Article 14:

‘3a. During the active phase of a military supporting action, as determined by the Council, Athena shall bear as operational common costs the common costs defined by the Council on a case-by-case basis by reference to Annex III.;

8. The first sentence of Article 18(3) shall be replaced by the following:

‘3. The commitment and payment appropriations shall be classified in titles and chapters grouping expenditure together by type or purpose, subdivided as necessary into articles.;

9. The second sentence of Article 20(1) shall be replaced by the following:

‘The administrator shall inform the Special Committee of his/her intention, insofar as the urgency of the situation permits, at least one week in advance.;

10. Article 22 shall be replaced by the following:

*‘Article 22***Anticipated implementation**

Once the annual budget has been approved, appropriations may be used to cover commitments and payments insofar as operationally necessary.;

11. Article 23(1), (2) and (3) shall be replaced by the following:

‘1. Payment appropriations to cover the common costs incurred in preparation for, or further to, operations which are not covered by miscellaneous revenue shall be financed by contributions from the participating Member States.

2. Payment appropriations to cover the operational common costs of an operation shall be covered by contributions from the Member States and third States contributing to the operation.

3. The contributions payable by the contributing Member States for an operation shall be equal to the amount of the payment appropriations entered in the budget and intended to cover the operational common costs of that operation, minus the amounts of the contributions payable for the same operation by contributing third States pursuant to Article 11.;

12. Article 24(1) shall be deleted;

13. The following paragraph shall be added to Article 24:

‘8. The administrator shall acknowledge receipt of contributions.;

14. Article 25 shall be amended as follows:

(a) the third sentence of paragraph 3 shall be deleted;

(b) the following paragraph shall be added:

‘9. Where funds are required for an operation before sufficient contributions to that operation have been received, contributions paid in anticipation by Member States which contribute to financing that operation, after approval by the anticipating Member States, may be used up to 50 % of their amount to cover contributions due to that operation. The contributions paid in anticipation shall be replenished by the anticipating Member States within 90 days following despatch of the call.;

15. The first sentence of Article 31(4), shall be replaced by the following:

‘4. During the period prior to the adoption of a budget for an operation, the administrator and the operation commander or his/her representative shall report to the Special Committee every month, each reporting on the matters concerning him/her, as regards the expenses which are eligible as common costs for that operation.’;

16. Article 37 shall be amended as follows:

(a) paragraph (3) shall be deleted;

(b) the second sentence of first subparagraph of paragraph 4 shall be replaced by the following:

‘Each year, the Special Committee shall appoint as of 1 January of the following year two members for a three-year period, renewable once, from candidates proposed by the Member States. The Special Committee may extend a member’s mandate by up to six months.’;

(c) point (d) of paragraph 4 shall be replaced by the following:

‘(d) they shall check during the financial year as well as ex post, through controls on the spot as well as on supporting documents, that expenditure financed or pre-financed through Athena is implemented in accordance with the legislation applicable and the principles of sound financial management, i.e. in accordance with the principles of economy, effectiveness and efficiency, and that internal controls are adequate.’;

(d) the first sentence of second subparagraph of paragraph 4 shall be replaced by the following:

‘Each year, the College of Auditors shall elect to change or extend its chairman from amongst its members.’;

17. Article 38(1) and (2) shall be replaced by the following:

‘1. Each operation commander shall provide Athena’s accounting officer by 31 March following the end of the financial year, or within four months following the end of the operation which he commands, whichever is the earlier, with the necessary information to establish the annual accounts for common costs, the annual accounts for expenditure pre-financed and reimbursed pursuant to Article 27 and the annual activity report.

2. The administrator, with the assistance of the accounting officer and each operation commander, shall establish and provide to the Special Committee and the College of auditors, by 30 April following the end of the financial year, the provisional annual accounts and the annual activity report.

2a The Special Committee shall be provided by 31 July following the end of the financial year, by the College of Auditors with an annual audit report and by the administrator, assisted by the accounting officer and each operation commander, with Athena’s final annual accounts. The Special Committee shall examine by 30 September following the end of the financial year the annual accounts in the light of the College’s audit report, with a view to granting a discharge to the administrator, the accounting officer and each operation commander.’;

18. The first sentence of Article 38(8) shall be replaced by the following:

‘8. Each Member State participating in an operation shall provide on a voluntary basis information by 31 March each year to the administrator where appropriate through the Operation Commander, on the incremental costs it has incurred for the operation during the previous financial year.’;

19. Article 41 shall be deleted;

20. Annex I shall be amended as follows:

(a) the items ‘1. Auditing costs’ and ‘4. Banking costs’ shall be deleted;

(b) the following subparagraph shall be added:

‘The general part of the annual budget shall furthermore include appropriations, where necessary, to cover the following common costs in operations to the financing of which the participating Member States contribute:

1. Banking costs

2. Auditing costs

3. Common costs relative to the preparatory phase of an operation as defined at Annex II.’;

21. Annex III, Part III-A shall be amended as follows:

(a) point 2 and 3 shall be replaced by the following:

‘2. Incremental costs incurred for providing support to the force as a whole:

The costs defined below are those incurred as a consequence of the force deployment to its location:

(a) works for deployment/infrastructure: expenditure absolutely needed for the force as a whole to fulfil its mission (common used airport, railway, harbours, roads, including points of disembarkation and forward assembly areas; power and water supply, static force protection, storage facilities, parking lots; engineering support);

(b) identification marking: specific identification marks, “European Union” identity cards, badges, medals, flags in European Union colours or other Force or HQ identification marking (excluding clothes, hats or uniforms);

(c) medical services: emergency medical evacuations (Medevac).

3. Incremental costs incurred by EU recourse to NATO common assets and capabilities made available for an EU-led operation.

The cost for the European Union of the application for one of its military operations of the arrangements between the EU and NATO relating to release, monitoring and return or recall of NATO common assets and capabilities made available for an EU-led operation. Reimbursements by NATO to the EU.’;

(b) the following point shall be added:

‘4. Incremental costs incurred by the EU for goods, services or works included in the list of common costs and made available in an EU-led operation by a Member State, an EU institution, a third State or an international organisation pursuant to an arrangement referred to at Articles 10-a and 10-b. Reimbursements by a state, an EU institution or an international organisation based on such an arrangement.’;

22. The following items shall be added to Annex III, Part III-B:

Multinational task force headquarters: the multinational headquarters of EU task forces deployed in the area of operation

Acquisition of information: acquisition of information (satellite images; theatre level intelligence, reconnaissance and surveillance (ISR), including Air-to-Ground Surveillance (AGSR); human intelligence);

23. The following Part shall be inserted in Annex III:

III-C

Operational common costs borne by Athena when requested by the Operation Commander and approved by the Special Committee

- (a) essential additional equipment: the rental or purchase in the course of the operation of unforeseen specific equipment essential for the execution of the operation, insofar as the purchased equipment is not repatriated at the end of the mission;
- (b) medical services: Roles 1, 2 and 3 facilities in theatre;
- (c) acquisition of information: acquisition of information (satellite images; theatre level intelligence, reconnaissance and surveillance (ISR), including Air-to-Ground Surveillance (AGSR); human intelligence);
- (d) other critical theatre-level capabilities: theatre-level capabilities (demining within theatre insofar as necessary to the operation; chemical, biological, radiological and nuclear protection (CBRN); fuel storage and supply facilities; storage and destruction of arms and ammunitions collected within the area of operation), in accordance with the Joint Action.'

Article 2

This Decision shall enter into force on the day of its adoption.

Article 3

This Decision shall be published in the *Official Journal of the European Union*.

Done at Brussels, 12 February 2007.

For the Council
The President

F.-W. STEINMEIER

COUNCIL COMMON POSITION 2007/92/CFSP
of 12 February 2007
renewing the restrictive measures imposed against Côte d'Ivoire

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 15 thereof,

Whereas:

- (1) On 13 December 2004, the Council adopted Common Position 2004/852/CFSP ⁽¹⁾ concerning restrictive measures against Côte d'Ivoire in order to implement the measures imposed against Côte d'Ivoire by United Nations Security Council Resolution (UNSCR) 1572 (2004). In accordance with that Resolution, these measures applied until 15 December 2005.
- (2) On 23 January 2006, the Council adopted Common Position 2006/30/CFSP ⁽²⁾ renewing the restrictive measures imposed against Côte d'Ivoire by Common Position 2004/852/CFSP for a further period of 12 months and supplementing them with the restrictive measures imposed by paragraph 6 of UNSCR 1643 (2005). In accordance with that Resolution, these measures applied until 15 December 2006.
- (3) In the light of the recent developments in Côte d'Ivoire, the UN Security Council on 15 December 2006 adopted Resolution 1727 (2006) renewing the restrictive measures imposed by UNSCR 1572 (2004) and UNSCR 1643 (2005) until 31 October 2007.
- (4) The measures imposed by Common Position 2004/852/CFSP and Common Position 2006/30/CFSP should therefore be renewed with effect from 16 December 2006 until 31 October 2007, in order to give effect to UNSCR 1727 (2006),

HAS ADOPTED THIS COMMON POSITION:

Article 1

The measures imposed by Common Position 2004/852/CFSP and Common Position 2006/30/CFSP shall be applied until 31 October 2007, unless the Council decides otherwise in accordance with any future relevant UN Security Council Resolution.

Article 2

This Common Position shall apply from 16 December 2006 until 31 October 2007.

Article 3

This Common Position shall be published in the *Official Journal of the European Union*.

Done at Brussels, 12 February 2007.

For the Council
The President
F.-W. STEINMEIER

⁽¹⁾ OJ L 368, 15.12.2004, p. 50. Common Position as last amended by Decision 2006/483/CFSP (OJ L 189, 12.7.2006, p. 23).

⁽²⁾ OJ L 19, 24.1.2006, p. 36.

COUNCIL COMMON POSITION 2007/93/CFSP**of 12 February 2007****modifying and renewing Common Position 2004/137/CFSP concerning the restrictive measures imposed against Liberia**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 15 thereof,

Whereas:

- (1) On 10 February 2004, the Council adopted Common Position 2004/137/CFSP⁽¹⁾ concerning restrictive measures against Liberia in order to implement the measures imposed against Liberia by United Nations Security Council Resolution (UNSCR) 1521 (2003).
- (2) On 22 December 2004, the Council adopted Common Position 2004/902/CFSP⁽²⁾ extending Common Position 2004/137/CFSP for a 12-month period, in accordance with UNSCR 1579 (2004).
- (3) On 23 January 2006, the Council adopted Common Position 2006/31/CFSP⁽³⁾ renewing the measures imposed by Articles 1 and 2 of Common Position 2004/137/CFSP for a further period of 12 months and the measures imposed by Articles 3 and 4 of Common Position 2004/137/CFSP for a further period of six months in accordance with UNSCR 1647 (2005).
- (4) On 24 July 2006, the Council adopted Common Position 2006/518/CFSP⁽⁴⁾ introducing further exemptions to the measures imposed by Article 1(1) of Common Position 2006/31/CFSP in accordance with UNSCR 1683 (2006) and renewing the measures imposed by Article 3 of Common Position 2004/137/CFSP for a further period of six months in accordance with UNSCR 1689 (2006).
- (5) In the light of the developments in Liberia, the UN Security Council on 20 December 2006 adopted UNSCR 1731 (2006) renewing the restrictive measures on arms, imposed by paragraph 2 of UNSCR 1521 (2003) and modified by paragraphs 1 and 2 of UNSCR 1683 (2006) and renewing the restrictive measures on travel imposed by paragraph 4 of UNSCR 1521 (2003) for a further period of 12 months. UNSCR 1731 (2006) also introduced an additional exemption related to non-lethal military equipment solely for use by Liberian police and security forces.
- (6) The UN Security Council also decided in UNSCR 1731 (2006) to renew the restrictive measures on diamonds imposed by paragraph 6 of UNSCR 1521 (2003) for a further period of six months.
- (7) The measures imposed by Common Position 2004/137/CFSP should therefore be renewed and modified with effect from 23 December 2006 in order to give effect to UNSCR 1731 (2006).

⁽¹⁾ OJ L 40, 12.2.2004, p. 35.

⁽²⁾ OJ L 379, 24.12.2004, p. 113.

⁽³⁾ OJ L 19, 24.1.2006, p. 38.

⁽⁴⁾ OJ L 201, 25.7.2006, p. 36.

(8) Action by the Community is needed in order to implement certain of these measures,

HAS ADOPTED THIS COMMON POSITION:

Article 1

The measures imposed by Articles 1 and 2 of Common Position 2004/137/CFSP shall be applied for a further period of 12 months, unless the Council decides otherwise in accordance with any future relevant UN Security Council Resolution.

Article 2

The measures imposed by Article 3 of Common Position 2004/137/CFSP shall be applied for a further period of six months, unless the Council decides otherwise in accordance with any future relevant UN Security Council Resolution.

Article 3

In addition to the exemptions from application set out in Article 1(2) of Common Position 2004/137/CFSP and in Article 1 of Common Position 2006/518/CFSP, the measures on arms imposed by Article 1(1) of Common Position 2004/137/CFSP shall not apply to supplies of non-lethal military equipment other than non-lethal weapons and ammunition, as notified in advance to the Committee established by paragraph 21 of UNSCR 1521 (2003), intended solely for use by members of the Government of Liberia police and security forces who have been vetted and trained since the inception of the United Nations Mission in Liberia in October 2003.

Article 4

This Common Position shall apply from 23 December 2006 until 22 December 2007.

Article 5

This Common Position shall be published in the *Official Journal of the European Union*.

Done at Brussels, 12 February 2007.

For the Council

The President

F.-W. STEINMEIER

COUNCIL COMMON POSITION 2007/94/CFSP
of 12 February 2007
amending Common Position 2002/960/CFSP concerning restrictive measures against Somalia

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 15 thereof,

Whereas:

- (1) On 10 December 2002, the Council adopted Common Position 2002/960/CFSP concerning restrictive measures against Somalia ⁽¹⁾, following United Nations Security Council Resolutions (UNSCR) 733 (1992), 1356 (2001) and 1425 (2002), relating to an arms embargo against Somalia.
- (2) On 6 December 2006, the United Nations Security Council adopted UNSCR 1725 (2006) introducing an additional exemption to the restrictive measures imposed by paragraph 5 of UNSCR 733 (1992) and further elaborated in paragraphs 1 and 2 of UNSCR 1425 (2002) for supplies of weapons and military equipment and technical training and assistance intended solely for the support of or use by the mission as stipulated in paragraph 3 of UNSCR 1725 (2006).
- (3) The measures imposed by Common Position 2002/960/CFSP should therefore be modified in order to give effect to UNSCR 1725 (2006).
- (4) Action by the Community is needed in order to implement certain measures,

HAS ADOPTED THIS COMMON POSITION:

Article 1

Article 1(3) of Common Position 2002/960/CFSP shall be replaced by the following:

- ‘3. Paragraphs 1 and 2 shall not apply to:
- (a) the supply or sale of arms and related material of all types and to the direct or indirect supply of technical advice, financial and other assistance and training related to military activities intended solely for the support of or use by the mission as stipulated in paragraph 3 of UNSCR 1725 (2006);
 - (b) supplies of non-lethal military equipment intended solely for humanitarian or protective use, or of material intended for institution building programmes of the Union, Community or Member States, including in the field of security, carried out within the framework of the Peace and Reconciliation Process, as approved in advance by the Committee established by paragraph 11 of UNSCR 751 (1992), nor shall they apply to protective clothing, including flak jackets and military helmets, temporarily exported to Somalia by United Nations personnel, representatives of the media and humanitarian and development workers and associated personnel for their personal use only.’

⁽¹⁾ OJ L 334, 11.12.2002, p. 1.

Article 2

This Common Position shall take effect on the date of its adoption.

Article 3

This Common Position shall be published in the *Official Journal of the European Union*.

Done at Brussels, 12 February 2007.

For the Council
The President
F.-W. STEINMEIER

ACTS ADOPTED UNDER TITLE VI OF THE EU TREATY

Notice concerning the entry into force of the Protocol drawn up on the basis of Article 43(1) of the Convention on the establishment of a European Police Office

Notice concerning the entry into force of the Protocol drawn up on the basis of Article 43(1) of the Convention on the Establishment of a European Police Office (Europol Convention), amending that Convention.

Further to the deposit of all instruments of ratification and pursuant to Article 2(3) thereof, the Protocol drawn up on the basis of Article 43(1) signed in Brussels on 27 November 2003 ⁽¹⁾, will enter into force on 18 April 2007.

⁽¹⁾ OJ C 2, 6.1.2004, p. 3.

Notice concerning the entry into force of the Protocol amending the Convention on the establishment of a European Police Office

Notice concerning the entry into force of the Protocol amending the Convention on the establishment of a European Police Office (Europol Convention) and the Protocol on the privileges and immunities of Europol, the members of its organs, the deputy directors and the employees of Europol.

Further to the deposit of all instruments of ratification and pursuant to Article 3(3) thereof, the Protocol amending the Convention on the establishment of a European Police Office signed in Brussels on 28 November 2002 ⁽¹⁾, will enter into force on 29 March 2007.

⁽¹⁾ OJ C 312, 16.12.2002, p. 2.

Notice concerning the entry into force of the Protocol drawn up on the basis of Article 43(1) of the Convention on the establishment of a European Police Office

Notice concerning the entry into force of the Protocol drawn up on the basis of Article 43(1) of the Convention on the Establishment of a European Police Office (Europol Convention), amending Article 2 and the Annex to that Convention.

Further to the deposit of all instruments of ratification and pursuant to Article 2(3) thereof, the Protocol drawn up on the basis of Article 43(1) signed in Brussels on 30 November 2000 ⁽¹⁾, will enter into force on 29 March 2007.

⁽¹⁾ OJ C 358, 13.12.2000, p. 2.
